

HUMAN REOURCES BULLETIN 99-13

Annual Leave Carryover

Scheduling: The 1999 leave year ends on 1 January 2000. This is a good time for employees and supervisors to review "use or lose" leave balances and ensure that all leave that would otherwise be forfeited at the end of the leave year is scheduled for use.

Carryover: Public Law 93-181 provides three conditions under which the normal rule that requires forfeiture of annual leave in excess of permissible (normally 240 hours) carryover may be waived. The conditions are:

a. Loss through administrative error. Administrative errors uncovered that had resulted in forfeiture of annual leave due to the maximum carryover rule can be corrected to permit restoration of all of the leave.

b. Exigencies of public business were of such importance as to preclude the use of scheduled annual leave and there was no reasonable alternative to the cancellation of scheduled leave. A specific beginning and ending date of the exigency must be fixed. The situation must be documented and personally approved by the local commander in accordance with local procedures. These requests must be submitted at the time of the exigency. DO NOT wait until the end of the leave year.

c. Sickness precluded the employee from using scheduled annual leave. The period of absence due to sickness must have occurred at such time late in the leave year that the annual leave could not be rescheduled.

The employee must submit a request in writing through supervisory channels to have leave restored that has been forfeited as a result of an exigency or illness. The leave must have been scheduled at least three pay periods before the end of the leave year.

When the supervisor receives the request, s/he will submit the following supporting documentation to the Louisville CPAC: (1) The supervisor's written certification showing the date the leave was scheduled for use, the date the leave was approved, the date the leave was canceled and why it was not rescheduled for use and (2) a copy of the commander's approval of the exigency.

Annual leave forfeited under the conditions set forth above will be restored in a special annual leave account. Such restored special leave must be used no later than the end of the leave year ending two years after the termination of the exigency or after the sick employee returns to work.

Donating to a Voluntary Leave Bank:

If you do not plan to use all of your use or lose leave for the 1999 leave year, you may donate the use or lose leave which you will forfeit to the Voluntary Leave Bank. There are limitations on the amount of leave that may be contributed, however. If you are projected to have excess use or lose leave, the maximum amount of annual leave you may contribute during the leave year is the lesser or:

- a. One-half of the amount of annual leave you are entitled to accrue during the leave year in which the contribution is made, or
- b. The number of hours remaining in the leave year (as of the date of contribution for which you are scheduled to work and receive pay. For example, if you plan to contribute 32 hours of annual leave which you would otherwise forfeit, you must contribute it while you still have 32 actual hours yet to work in the leave year.

There are provisions for waiving the limitation described above; however, you are not encouraged to donate more than the limitation.

Donating to a Voluntary Leave Transfer Program Recipient

If an employee is approved as leave recipients under the Voluntary Leave Transfer Program, you may donate use or lose leave to that employee. The same restrictions discussed above under the Voluntary Leave Bank apply to donations under this program as well.

If you have questions, please contact your Civilian Personnel Advisory Center.

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